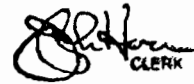


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

JUN 16 2011


CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRADLEY WHITSELL,

Defendant.

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CR 11-40056

SCHEDULING AND CASE
MANAGEMENT ORDER

An initial appearance and arraignment on an Indictment was held on June 14, 2011, with the Plaintiff appearing by Kevin Koliner, Assistant United States Attorney; and the Defendant Bradley Whitsell appearing in person and with his attorney, Grant Alvine, and

It appearing necessary that the court fix motion and trial dates in order to comply with the Speedy Trial Act, 18 U.S.C. § 3161,

IT IS ORDERED:

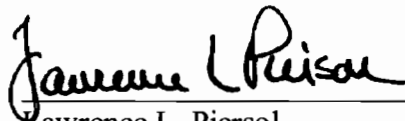
1. That the following general discovery rules shall apply to this case:
 - A. Upon request of the Defendant, the Plaintiff shall forthwith comply with Rule 16(a)(1)(A), (B), (C) and (D).
 - B. If the Defendant requests disclosure under Rule 16(a), such Defendant shall, upon request of the Plaintiff, forthwith comply with Rule 16(b).
 - C. The Plaintiff shall disclose to the Defendant any exculpatory material discoverable under Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963) two weeks before trial.
 - D. Any written statements of Plaintiff's witnesses discoverable under the Jencks Act, 18 U.S.C. § 3500, shall be furnished to the Defendant on the Friday preceding trial.
2. That counsel are referred to D.S.D. LR 47.1(A) concerning discovery

matters.

3. That all other motions as to Defendant herein be filed and served on or before July 7, 2011; that opposing counsel respond thereto on or before July 14, 2011; and that a hearing thereon will be held before The Honorable John E. Simko, in Sioux Falls, South Dakota, on Thursday, July 21, 2011, at 9:00 A.M.; and the Court will not consider a stock motion for leave to file further motions, however, the Court will consider a motion filed by a party after the deadline if the party can show good cause as to why the motion was late filed.
4. That July 25, 2011, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
5. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
6. That the jury trial herein for Defendant shall commence in Sioux Falls, South Dakota, on Tuesday, August 23, 2011, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
7. That the dates herein may be modified upon good cause shown.

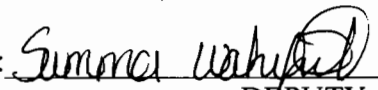
Dated this 16th day of June, 2011.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY